

Bureau of Resource Recovery and Technical Programs  
Division of Solid & Hazardous Waste  
P.O. Box 414 401 East State Street  
Trenton, New Jersey 08625-0414  
Telephone: (609) 984-6985 Telecopier: (609) 633-9839  
<http://www.state.nj.us/dep/dshw/rrtp/index.htm>

## **Part I: Instructions for Completing the Certificate of Authority to Operate (CAO) a Beneficial Use Project Application Form**

Revision Date: 10/08/02

The following information including any required application fees should be submitted to obtain a Certificate of Authority to Operate a Beneficial Use Project. Answer all questions. Should you have any questions in completing this form, do not hesitate to call (609) 984-6985 between the hours of 9:00 a.m. and 4:00 p.m. and ask for a representative of the Beneficial Use Section. Information about Beneficial Use is also available at our web site located at the following address: <http://www.state.nj.us/dep/dshw/rrtp/bud.htm>. Submitting insufficient information and/or data may cause processing delays with your application.

In order for a material to qualify for an exemption in accordance with the Beneficial Use regulations found at N.J.A.C. 7:26-1.1 et seq., specifically N.J.A.C. 7:26-1.7(g) under the regulations, the generator must certify the material proposed for beneficial use was analyzed or does not meet any other criteria or characteristic and be free of any other contaminant, including radiological properties, or waste that would: 1) cause the material to be classified as a hazardous waste in New Jersey; 2) make the material subject to Land Disposal Restrictions Phase IV at 40 C.F.R.268; 3) otherwise make the material ineligible for consideration for regulation pursuant to N.J.A.C. 7:26-1.7(g); or 4) prevent the material from providing a beneficial use either as a raw material or directly as a product in the uses to which it is applied. The material must be able to be shown to meet the same general physical character and chemical composition that is consistently equivalent to or exceeds the character and composition of the intentionally-manufactured product that it is replacing and the material does not present a greater risk to human health or the environment than the use of the product or raw material it is replacing.

For **out-of-state** beneficial use for material that was generated within New Jersey, only the following applicable questions of the application should be completed: Questions 1 through 4, 5(a), (b), (e) and (f), 6(a), (b), (c) and (f), and 9 through 12. Note that for out-of-State and in-State uses, the Department will share all information, such as material history, enforcement issues, analytical data and related information concerning the material with the receiving facility, related parties of interest and relevant State regulatory agencies during the application review and confirmation process.

Submit one original signed copy of this form and all attachments necessary to accurately answer all questions. (Include any other related and applicable information as attachments.)

**Question 1: Owner Identification**

Enter the name, address and telephone number of the generator/owner who originally produced the material and who is seeking to operate the proposed beneficial use project.

**Question 2: Destination Site Identification**

Enter the name, address and telephone number of the owner/operator of the destination site that will be utilizing the material from the proposed beneficial use project.

Note that for out-of-State and in-State uses, the Department will share all information, such as material history, enforcement issues, analytical data and related information concerning the material with the receiving facility, related parties of interest and relevant State regulatory agencies during the application review and confirmation process.

**Question 3: Name of Material**

Self-explanatory

**Question 4: Material Qualifications**

In order for a material to qualify for an exemption under the Beneficial Use regulations, the generator must certify the material proposed for beneficial use was analyzed or does not meet any other criteria or characteristic and be free of any other contaminant or waste that would:

- (a) Cause the material to be classified as a hazardous waste in New Jersey;
- (b) Make the material subject to Land Disposal Restrictions Phase IV at 40 C.F.R. 268;
- (c) Otherwise make the material ineligible for consideration for regulation pursuant to N.J.A.C. 7:26-1.7(g).

**Question 5: Beneficial Use Project Description**

- (a) Enter the description of the specific location of the site of origin, including a description of the location of the material onsite.
- (b) Provide a description of both the current and historic land use of the site from which the material was generated, the date(s) the material was

generated, reasons for the generation of the material and/ or the process by which the material was generated.

- (c) Describe any activities (i.e., regulatory, enforcement, or inspections) conducted by the Department or any other agency at the material's site of origin. This is only requested for in-state use of the material.
- (d) Describe any activities (i.e., regulatory, enforcement, or inspections) conducted by the Department or any other agency at the material's destination site. This is only requested for in-state use of the material.
- (e) Self-explanatory
- (f) Self-explanatory
- (g) Provide a site map of the location where the material is to be used, plotted on a USGS topographic map (contours at two-foot intervals). This is only requested for in-state use of the material.
- (h) Provide a project site map, drawn to scale not larger than 1 inch equal to 100 feet, of the location where the material is to be used indicating, at a minimum, wetlands, tidal water limits and depth to mean seasonal high water table across the site with contours at two-foot intervals. This is only requested for in-state use of the material.
- (i) Provide a site map of the location of the site of origin where the material was generated, plotted on a USGS topographic map (contours at two-foot intervals). This is only requested for in-state use of the material.

**Question 6: Material Description**

- (a) Provide a narrative description of the material's characteristics. Include any studies or analytical characterization, Material Safety Data Sheet, EHIS, or Natural Resource and/or contaminant risk assessment, etc. The narrative should provide evidence to the Department that the material provides a beneficial use either as a raw material or directly as a product in the uses to which it is applied.
- (b) Self-explanatory
- (c) Self-explanatory
- (d) Provide a sampling plan for all samples that will be obtained from the proposed material, including a scaled site map depicting all sample locations, sampling frequency and compositing frequency. This is only requested for in-state use of the material.

- (e) Provide documentation of contaminant profiles including test results compared to the current Target Analyte List (TAL)/ Target Compound List (TCL) and Priority Pollutants + 40 scans. The list of TAL inorganic compounds/elements and TCL organic compounds designated for analysis are those contained in the version of the USEPA Contract Laboratory Program Statement of Work for Inorganics and Organic Analysis, Multi-Media, Multi-Concentration in effect as of the date on which the laboratory is performing the analysis or the project's specific contaminant testing results. This is only requested for in-state use of the material.
- (f) Indicate whether Dioxin/Furan analysis was conducted on the material. If not, explain the reason for not conducting the tests.
- (g) Indicate the concentration limits for contaminants in the material during the proposed use and the rationale for those limits. This is only requested for in-state use of the material.
- (h) Provide a description of the quality assurance procedures that will be used to monitor the on-going process which generates the material proposed for use. This is only requested for in-state use of the material.

**Question 7: Analytical Package for Contaminant Profile Testing**

Provide a copy of the analytical package for all sampling results submitted to the Department. The package should include the chain of custody, sampling methods, QA/QC data, etc. The package should also include documentation that the laboratory used for the testing is a New Jersey certified laboratory. This is only requested for in-state use of the material.

**Question 8: Treatment Performed on the Material Prior to Reuse**

Self-explanatory (This is only requested for in-state use of the material.)

**Questions 9 through 12:**

Self-explanatory

**Certification Statement**

The application form should be signed by the generator/owner who originally produced the material. The application form should be notarized.

**NOTE:** The Department may request additional information or an amended application at any time due to modified application requirements, project-specific requirements, or other reasons. Filing an application for a CAO for a beneficial use project does not

convey any authority for any person to transport, move or use any material unless a CAO is issued in writing from the Department for the specific material and use.

Send this completed form and all attachments to:

**Chief, Bureau of Resource Recovery and Technical Programs  
Division of Solid and Hazardous Waste  
P.O. Box 414  
Trenton, NJ 08625-0414**

Should you encounter any problem in completing this form, we recommend that you discuss the matter with a representative from the Bureau of Resource Recovery and Technical Programs, Beneficial Use Section at (609) 984-6985 between the hours of 9:00 a.m. and 4:00 p.m. Information on Beneficial Use and this form are available at the following web address: <http://www.state.nj.us/dep/dshw/rrtp/bud.htm>. Submitting incorrect or insufficient data may cause processing delays.

---

Your comments and suggestions regarding this application and the information on the web site are always welcomed. Please send comments to the attention of Mr. Robert M. Confer, at the above address.

**Part II: APPLICATION FORM FOR A CERTIFICATE OF AUTHORITY TO OPERATE (CAO) A BENEFICIAL USE PROJECT**

PLEASE TYPE OR PRINT

(enclose additional pages and other documentation as necessary)

Date \_\_\_\_\_

**1. OWNER IDENTIFICATION:**

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Street Address: \_\_\_\_\_

City or Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Municipality: \_\_\_\_\_ County: \_\_\_\_\_

**2. DESTINATION SITE IDENTIFICATION:**

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Street Address: \_\_\_\_\_

City or Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Municipality: \_\_\_\_\_ County: \_\_\_\_\_

**NOTE:** For out-of-State and in-State uses, the Department will share all information, such as material history, enforcement issues, analytical data and related information concerning the material with the receiving facility, related parties of interest and relevant State regulatory agencies during the application review and confirmation process.

**3. NAME OF MATERIAL: \_\_\_\_\_**

**4. MATERIAL QUALIFICATIONS:**

(a) Is the proposed material classified as a hazardous waste in New Jersey?  
Yes \_\_\_\_ No \_\_\_\_

(b) Is the proposed material subject to Land Disposal Restrictions Phase IV at 40 C.F.R. 268? Yes \_\_\_\_ No \_\_\_\_

(c) Is the proposed material ineligible for consideration pursuant to N.J.A.C. 7:26-1.7(g)? Yes \_\_\_\_ No \_\_\_\_

**Note:** If you answered Yes to any one of the three qualifying questions above, the material does not qualify for an exemption under the Beneficial Use regulations and must continue to be managed as a solid or hazardous waste.

Provide a detailed narrative on how the proposed material was determined to qualify for beneficial use in view of the qualifying criteria in Section 3.

---

---

---

---

**5. BENEFICIAL USE PROJECT DESCRIPTION:**

(a) Description of Location of Site of Material Origin: \_\_\_\_\_

---

---

(b) Provide a General Description of the Site of Origin: \_\_\_\_\_

---

---

(c) Description of any Regulatory Activity Conducted at the Site of Origin (in-state use only):

---

---

---

(d) Description of any Regulatory Activity Conducted at the Site of Destination (in-state use only):

---

---

---

- (e) Provide a detailed description of the Beneficial Use Project, including details about the generation of the material and specific information that details the implementation of the project at the destination site: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- (f) Quantity of Material for the Project (tons/year): \_\_\_\_\_
- (g) Project Site Location Map (in-state use only)  Included
- (h) Project Site Plan Map (in-state use only)  Included
- (i) Material Origin Site Location Map (in-state use only)  Included

**6. MATERIAL DESCRIPTION:**

- (a) Describe the Proposed Material's Characteristics: \_\_\_\_\_  
 \_\_\_\_\_
- (b) Has the material been previously classified as a solid waste pursuant to N.J.A.C. 7:26G-5? Yes \_\_\_\_ No \_\_\_\_ If yes, provide a copy of the waste classification documentation letter or other documentation.
- (c) Describe the material's known or suspected naturally-occurring radionuclide material (NORM); any other radiological characteristics resulting in the material having radioactivity above any background level or which could pose a health or environmental concern under any circumstance; and/or which would cause the material to be regulated in any manner for a radioactive characteristic by any State or Federal agency: \_\_\_\_\_

Is the material regulated pursuant to the Atomic Energy Act or any regulations for radioactive materials administered by the Nuclear Regulatory Commission ("NRC") or other agencies, is classified as technologically enhanced naturally-occurring radionuclide material (TENORM) which is ID 27 Dry Industrial Solid Waste in New Jersey, or contains any radionuclide over the levels established in the "Soil Remediation Standards for Radioactive Materials" at N.J.A.C. 7:28-12, describe:

---

---

---

(d) Provide a Sampling Plan for the Proposed Material (in-state use only).  
Is a Sampling Location Map Included? Yes \_\_\_\_ No \_\_\_\_

(e) Provide Material Testing Documentation (include TAL/TCL and Priority Pollutant + 40 scans unless approved by the Department in advance) (in-state use only, unless required by out-of-state user or regulatory agency).

(f) Is Dioxin/Furan Analysis Included?

Yes\_\_\_ No\_\_\_ If No, explain:\_\_\_\_\_

---

---

---

---

(g) What are the Monitoring Levels for Proposed Use, if any? (in-state use only)

---

---

---

---

---

(h) Provide the Monitoring QA/QC Procedures (in-state use only):\_\_\_\_\_

---

---

---

**7. ANALYTICAL PACKAGE FOR CONTAMINANT PROFILE TESTING.**

Included Yes \_\_\_\_ No \_\_\_\_ If No, Why not? (in-state use only)

Explain: \_\_\_\_\_

---

---

---

---

**8. DESCRIBE ANY TREATMENT PERFORMED ON THE MATERIAL PRIOR TO THE REUSE OF THE MATERIAL (in-state use only).**

---

---

---

**9. DESCRIBE THE OPERATIONAL CONTROLS TO BE TAKEN DURING THE HANDLING AND TRANSPORTATION OF THE MATERIAL TO MINIMIZE ENVIRONMENTAL AND HUMAN IMPACTS.**

---

---

---

---

**10. PROVIDE A DETAILED PROJECT SCHEDULE FOR THE INITIATION AND COMPLETION OF THE BENEFICIAL USE PROJECT.**

---

---

---

---

**11. INCLUDE A LETTER TO THE DIVISION OF SOLID AND HAZARDOUS WASTE FROM THE RECEIVING FACILITY STATING THE FACILITY'S AGREEMENT TO ACCEPT THE SPECIFIED AMOUNT OF MATERIAL AND SPECIFYING THE INTENT TO BENEFICIALLY USE IT.**

**12. FOR OUT-OF-STATE USE SHIPMENTS, INCLUDE A LETTER FROM THE APPROPRIATE REGULATORY AGENCY OF THE STATE WHERE THE REUSE FACILITY IS LOCATED, OR A COPY OF THE CURRENT FACILITY PERMIT THAT VERIFIES THE MATERIAL CAN BE ACCEPTED IN ACCORDANCE WITH THE FACILITY'S OPERATING PERMIT.**

**NOTE:** For out-of-State and in-State uses, the Department will share all information, such as material history, enforcement issues, analytical data and related information concerning the material with the receiving facility, related parties of interest and relevant State regulatory agencies during the application review and confirmation process.

---

**Note:** The Department may request additional information or an amended application at any time due to modified application requirements, project-specific requirements, or other reasons. Filing an application for a CAO a beneficial use project does not convey any authority for any person to transport, move or use any material unless a CAO is issued in writing from the Department for the specific material and use.

**CERTIFICATION STATEMENT**

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment. I understand that, in addition to criminal penalties, I may be liable for a civil administrative penalty pursuant to N.J.A.C. 7:26 and that submitting false, inaccurate or incomplete information may be grounds for denial, revocation or termination of any solid waste facility permit, license or other operating authority for which I may be seeking approval or now hold.

Type/Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Sworn to and Subscribed Before Me

on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

---

Notary